

ANGUS LICENSING BOARD

MINUTE of MEETING of the **ANGUS LICENSING BOARD** held in the Town and County Hall, Forfar on Thursday 6 April 2017 at 10.00am.

Present: Councillors CRAIG FOTHERINGHAM, ALEX KING, BRIAN BOYD, LYNNE DEVINE, DAVID FAIRWEATHER, IAIN GAUL, JIM HOUSTON and DAVID LUMGAIR.

Councillor Fotheringham, Convener, in the Chair.

1. APOLOGY

An apology for absence was intimated on behalf of Councillor Paul Valentine.

2. DECLARATIONS OF INTEREST

Councillor Devine declared an interest in item 11 (Report No 26/17) as the licence holder was a neighbour and a candidate in the Forfar ward for the forthcoming Scottish local Government elections. She indicated that she would not take part in any discussion and voting and would leave the meeting during consideration of the item.

Councillor Boyd declared an interest in item 11 (Report No 26/17) as the licence holder had contacted him but no advice had been given. He indicated that he would take part in any discussion and voting.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Board held on 23 February 2017 was approved as a correct record and signed by the Convener.

4. PROVISIONAL PREMISES LICENCE – UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 19/17 by the Clerk on an application received for a provisional premises licence under the Licensing (Scotland) Act 2005, which required to be determined by the Board as detailed in the Appendix to the Report.

(a) Aenaiza Ltd, T/A Costcutter, 76 Dundee Road, Forfar

The Board considered an application from Aenaiza Ltd for the grant of a provisional premises licence (off sales) in respect of premises at Costcutters, 76 Dundee Road, Forfar. It was noted that the confirmation notice had been received.

The applicant, Mr Asif was present and addressed the Board.

The Board agreed to grant the application.

5. PREMISES LICENCES – REQUEST TO VARY PREMISES LICENCES UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 20/17 by the Clerk on applications to vary premises licences under the Licensing (Scotland) Act 2005, which required to be determined by the Board as detailed in the Appendix to the Report.

(a) Grewars Farm Shop, Dundee

The Board considered an application from Grewars Farm Shop Ltd to vary a premises licence in respect of premises at Dronley Farm, Dronley, Dundee to allow them to amend their operating plan to allow the sale of alcohol as part of an online shopping feature via the shop's website. This would allow customers to click and collect orders. A home delivery service and a postal service would also be provided.

Mr Dye was present and addressed the Board after which he answered questions from members.

The Board agreed that the application be granted.

(b) Costcutters, 27/29 Montrose Road, Arbroath

The Board considered an application from Robina Naseem to vary a premises licence in respect of premises at Costcutters 27/29 Montrose Road, Arbroath to allow them to amend their operating plan to:-

- (i) Increase the alcohol display area from 13.4875m² to 29.922m² which will include a chilled section and promotional pack sales area; and
- (ii) to amend the premises name from Costcutter to Family Shopper.

Mr Naseem was present and addressed the Board.

The Board agreed that the application be granted.

(c) Aldi Stores Ltd (formerly known as the Co-operative Food) Western Road, Montrose

The Board considered an application from Aldi Stores Ltd to vary a premises licence in respect of premises at Western Road, Montrose to allow them to amend their operating plan to:-

- (i) Change the name of the premises to Aldi Stores Ltd; and
- (ii) to decrease off sales capacity from 75.2m² to 36.55935m².

Mr Hazzard was present and addressed the Board.

The Board agreed that the application be granted.

6. PREMISES LICENCES – REQUEST TO EXTEND HOURS – UNDER THE LICENSING (SCOTLAND) ACT 2005

There was submitted Report No LB 21/17 by the Clerk on applications received to extend the licensed hours in respect of premises licences under the Licensing (Scotland) Act 2005, which required to be determined by the Board, as detailed in the Appendix to the Report.

(a) Friockheim Bowling Club, Farnell Road, Friockheim

The Board considered four applications from Friockheim Bowling Club requesting extensions of one additional hour to their normal trading hours on Sunday 4 June, Sunday 2 July, Sunday 27 August and Saturday 2 September 2017 in respect of bowling competitions, as detailed in the Report.

Mr Ross, Secretary of the Club was present and addressed the Board.

The Board agreed to grant the extension of one hour at the commencement of trading on Sunday 4 June, Sunday 2 July, Sunday 27 August and Saturday 2 September 2017.

(b) Sharky's 21 George Street, Montrose

The Board considered an application from Greene King Brewing and Retailing Ltd in respect of Sharky's, 21 George Street, Montrose for an extension to their normal trading hours on Friday 26 May and Saturday 27 May of one additional hour and Sunday 28 May 2017 of two additional hours, to 2am at the end of normal trading for the Montrose Music Festival.

The applicant's representative was present and addressed the Board.

The Board agreed to grant an extension of 45 minutes at the end of trading on Friday 26 May and Saturday 27 May, and an extension of 1 hour 45 minutes on Sunday 28 May 2017 but on condition that all live music ceases at 1.30am and that SIA badged stewards remain present until the premises are cleared.

(c) The Star Hotel, 7 New Wynd, Montrose

The Board considered an application from David Bray in respect of the Star Hotel, 7 New Wynd, Montrose for an extension of one hour to 2am at the end of normal trading on Friday 26 May and Saturday 27 May 2017 for the Montrose Music Festival.

Mr Bray was present and addressed the Board.

The Board agreed to grant an extension of 45 minutes at the end of trading on Friday 26 May and Saturday 27 May 2017 but on condition that all live music ceases at 1.30am and that SIA badged stewards remain present until the premises are cleared.

(d) Coast Bar & Nightclub (Lower level) 4 Gravesend, Arbroath

The Board considered an application on behalf of Coast Bar and Nightclub (lower level) for an extension of two hours to 2am at the end of normal trading on Sunday 30 April 2017 for a Bank holiday event which will include a live band.

Ms Ferguson was present and addressed the Board.

The Board agreed to grant the extension of two hours at the end of trading on Sunday 30 April 2017.

7. PERSONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 22/17 by the Clerk detailing applications for Personal Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 24 January to 8 March 2017, in accordance with the Scheme of Delegation appended to the Licensing Policy.

8. OCCASIONAL LICENCES – DELEGATED APPROVALS

There was submitted and noted Report No LB 23/17 by the Clerk detailing applications for Occasional Licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 24 January to 8 March 2017, in accordance with the Scheme of Delegation appended to the Licensing Policy.

9. PREMISES LICENCES - MINOR VARIATIONS - DELEGATED APPROVALS

There was submitted and noted Report No LB 24/17 by the Clerk detailing applications for minor variations to premises licences under the Licensing (Scotland) Act 2005 which had been granted by the Clerk during the period 24 January to 8 March 2017, in accordance with the Scheme of Delegation appended to the Licensing Policy.

10. PREMISES LICENCES UNDER THE LICENSING (SCOTLAND) ACT 2005 – LICENCES SURRENDERED

There was submitted Report No LB 25/17 by the Clerk presenting information on one premises licence which the licence holder had surrendered, as detailed in the Appendix to the Report.

The Board agreed to note that the premises licences detailed in the Appendix to the Report had been surrendered and had ceased to have effect in terms of the 2005 Act and that the licence for The Spar, 85 Brechin Road, Arbroath be removed from the register.

Having declared an interest at Article 2 above, Councillor Devine left the meeting during consideration of the following item.

11. APPLICATION FOR PREMISES LICENCE REVIEW

There was submitted Report No LB 26/17 by the Clerk inviting members to determine whether to proceed with a Premises Licence Review in respect of The Plough Inn, 48 Market Street, Forfar.

The Board agreed that a premises licence review in respect of The Plough Inn be held on Monday 24 April 2017.